

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAALVARO G. VELEZ,  
Plaintiff,

v.

TERESA A. VELEZ, et al.,  
Defendants.Case No. [21-cv-08822-RS](#)**ORDER DISMISSING CASE**

On September 12, 2022, plaintiff was ordered to show cause within 10 days why this matter should not be dismissed for lack of prosecution. Plaintiff timely responded with a declaration explaining that he had suffered a medical issue, and requesting additional time to take action in this case. Based on that response, plaintiff's deadline to show cause was extended to December 1, 2022. The order noted it appeared the main dispute between the parties likely would be moot by that date, however, and encouraged the parties to file a to file a joint dismissal of all claims and counterclaims, if possible.

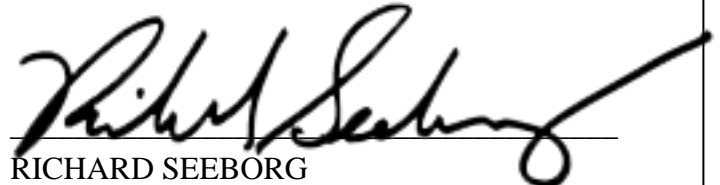
On December 12, 2022, defendant George Velez filed a request for dismissal without prejudice of his counterclaim. Plaintiff, however, has filed nothing more, and his deadline to do so has long expired.

It is possible, of course, that plaintiff's health situation has continued to impede his ability to take action. Particularly in light of the fact the controversy between the parties likely became moot by December of 2022, however, this case will be dismissed without prejudice for lack of

prosecution and plaintiff's failure to respond to the continued order to show cause.

**IT IS SO ORDERED.**

Dated: January 9, 2023



RICHARD SEEBORG  
Chief United States District Judge

United States District Court  
Northern District of California